

Notice of Allowability

Application No.

09/895,934

Examiner

Justin T. Darrow

Applicant(s)

HANLEY ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to an amendment filed 09/30/2005.
2. The allowed claim(s) is/are 1,5,6,9,10 and 14-17.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413), Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____

DETAILED ACTION

1. Claims 1-17 have been presented for examination. Claims 1, 5, 9, 10, and 14 have been amended, claims 2-4, 7, 8, and 11-13 have been canceled, and new claims 15-17 have been added in an amendment filed 09/30/2005. Claims 1, 5, 6, 9, 10, and 14-17 have been examined.

Allowable Subject Matter

2. Claims 1, 5, 6, 9, 10, and 14-17 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Claims 1, 5, and 6; 9; 10 and 14; and 15-17 are drawn to a computer-implemented method, an apparatus, a circuit arrangement, and a payment terminal. The closest prior art, Rager et al., U.S. Patent No. 5,363,447 A, in view of Mitsubishi Heavy Ind. Ltd. (Arakawa), Japanese Patent Application Publication No. 08-095866 A, discloses a similar method, apparatus, circuit arrangement, and payment terminal. Rager et al. explains a second memory element that is electrically erasable programmable read-only memory (EEPROM) external to the processor used to store encrypted data (see column 4, lines 8-10; figure 1, item 103; a non-volatile memory which may comprise EEPROM used to store encrypted representations of the encryption code and key(s)). But, Arakawa describes using volatile random access memory RAM instead of non-volatile EEPROM because the information is lost by tampering with the supply of power to this memory (see ¶ [0017]; drawing 1, item 1 and drawing 2, item 11). In spite of this teaching, Rager et al. teaches away from, upon reapplication of power from a first source, copying sensitive data including a general encryption key from the register to the first ram; generating encrypted data using the general encryption key; and storing the encrypted data

Art Unit: 2132

in a second RAM external to the processor (see column 3, lines 12-26; figure 1, items 100 and 102; having the volatile memory element storing encrypted data internal to the processor to be written to directly by an external keying device storing an encryption key). This distinct combination of limitations explicitly incorporated into independent claims 1, 9, 10, and 15 render claims 1, 5, and 6; 9; 10 and 14; and 15-17, respectively, allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone Inquiry Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin T. Darrow whose telephone number is (571) 272-3801, and whose electronic mail address is justin.darrow@uspto.gov. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barrón, Jr., can be reached at (571) 272-3799.

The fax number for Formal or Official faxes to Technology Center 2100 is 571-273-8300. In order for a formal paper transmitted by fax to be entered into the application file, the paper and/or fax cover sheet must be signed by a representative for the applicant. Faxed formal papers for application file entry, such as amendments adding claims, extensions of time, and statutory disclaimers for which fees must be charged before entry, must be transmitted with an

Art Unit: 2132

authorization to charge a deposit account to cover such fees. It is also recommended that the cover sheet for the fax of a formal paper have printed "**OFFICIAL FAX**". Formal papers transmitted by fax usually require three business days for entry into the application file and consideration by the examiner. Formal or Official faxes including amendments after final rejection (37 CFR 1.116) should be submitted to 571-273-8300 for expedited entry into the application file. It is further recommended that the cover sheet for the fax containing an amendment after final rejection have printed not only "**OFFICIAL FAX**" but also "**AMENDMENT AFTER FINAL**".

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

November 28, 2005



**JUSTIN T. DARROW
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100**